UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,253	01/10/2006	Guillaume Bichot	PU30043	8002

24498 7590 07/24/2008

Joseph J. Laks
Thomson Licensing LLC
2 Independence Way, Patent Operations
PO Box 5312
PRINCETON, NJ 08543

EXAMINER	
GESESSE, TILAHUN	

ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
07/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/564,253	BICHOT ET AL.	
	Examiner	Art Unit	
	Tilahun B. Gesese	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed April 15,2008 have been fully considered but they are not persuasive.

On page 5, line 10 for response , applicant argued that Aaltonen does not disclose "a video broadcast network for broadcasting the video from the encoder on a video channel having a frequency different from a data channel over which data is broadcast while maintaining the video channel in a broadcast only mode"

Aaltonen teaches a video broadcast network (fig.1, in which TV network 15, video broadcasting station 37 and video channel encoded at the broadcasting station 37 to video receive 3) in a video channel broadcast only mode only which means video channel having an RF carrier frequency different from a carrier frequency of a data channel over which the data is transmitted (channel 23 via modem 12 and channel 14).

On page 6, second paragraph of response to the office correspondence , applicant argued that Sibly does not teaches "feature of broadcasting the video on a video channel having an RF carrier frequency different from a carrier frequency of a data channel over which data is transmitted.

The examiner respectively disagrees. The feature applicant depends on disclosed by Aaltonen. Aaltonen teaches a video broadcast network (fig.1, in which TV network 15, video broadcasting station 37 and video channel encoded at the broadcasting station 37 to video receive 3) in a video channel broadcast only mode only which means video channel having an RF carrier frequency different from a carrier

frequency of a data channel over which the data is transmitted (channel 23 via modem 12 and channel 14).

On page 6, paragraph fifth of response to office correspondence applicant argued that Aaltonen does not teach "without trying to uplink traffic to the video LAN" .

The examiner respectively disagrees. Aaltonen as disclosed above, video broadcasting network no need to transmit uplink traffic to the video LAN because broadcasting station do not need request channel from the receiver. Broadcasting stations are unidirectional (one way) channel. Therefore, there is uplink traffic in general.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1,5-8,13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aaltonen et al (US 7,236,771) in view of Sibley (US 2001/0053700).

Claim 1, Aaltonen teaches a method for providing video to at least one subscriber in a wireless Local Area Network (LAN) (TV network (15) broadcast video information (television) and local access network (PLMN) (27) (see figure 1 and (column 1, lines 30-37 and col. 3, lines 38-col. 4, line 9).

Aaltonen teaches receiving video from at least one source,(see television network 15 , column 3, lines 44-48).

Aaltonen teaches broadcasting the video on a video channel having an RF carrier frequency different from a carrier frequency of a data channel over which data is transmitted (video broadcast channel (120) different from data channel see figure 2)

Aaltonen teaches maintaining the video channel in a one-way Broadcast only mode at least while the video Channel carries video, thereby precluding a subscriber from up-linking information on the video channel (see figure 2, video channel is a one-way broadcast only mode (120) which does not a subscriber (3 or 2) is able to transmit request via video channel (120).

Aaltonen does not expressly teach encoding the video into at least one prescribed format.

However, Sibley teaches TV broadcasting network, which encodes TV information into prescribed format (see paragraph 0036 and fig.1).

One of ordinary skill in the art would be motivated to encode the video to convert into different format in order to broadcast the video using RF frequency.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to encode video information into digital form ,as taught by Sibley in order to eliminate noise , since electrical signal loses strength over distance in which noise introduces in to the signal.

Claims 5-6 Aaltonen teaches the video is received from multiple sources

(see figure 1, internet and TV network 13 and 15 of figs.1-2).

Claims 7-8, Aaltonen teaches a method for providing video to at least one subscriber in a wireless Local Area Network (LAN) (TV network (15) broadcast video information (television) and local access network (PLMN) (27) (see figure 1 and (column 1, lines 30-37 and col. 3, lines 38-col. 4, line 9).

Aaltonen teaches receiving video from at least one source,(see television network 15 , column 3, lines 44-48).

Aaltonen teaches broadcasting the video on a video channel having an RF carrier frequency different from a carrier frequency of a data channel over which data is transmitted (video broadcast channel (120) different from data channel see figure 2)

Aaltonen teaches maintaining the video channel in a one-way Broadcast only mode at least while the video Channel carries video, thereby precluding a subscriber from up-linking information on the video channel (see figure 2, video channel is a one-way broadcast only mode (120) which does not a subscriber (3 or 2) is able to transmit request via video channel (120).

Aaltonen does not expressly teach encoding the video into at least one prescribed format.

However, Sibley teaches TV broadcasting network, which encodes TV

information into prescribed format (see paragraph 0036 and fig.1).

One of ordinary skill in the art would be motivated to encode the video to

convert into different format in order to broadcast the video using RF frequency.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to encode video information into digital form ,as taught by Sibley in order to eliminate noise , since electrical signal loses strength over distance in which noise introduces in to the signal.

Claim 13, Aaltonen teaches a method for providing video to at least one subscriber in a wireless Local Area Network (LAN) (TV network (15) broadcast video information (television) and local access network (PLMN) (27) (see figure 1 and (column 1, lines 30-37 and col. 3, lines 38-col. 4, line 9).

Aaltonen teaches receiving video from at least one source,(see television network 15 , column 3, lines 44-48).

Aaltonen teaches broadcasting the video on a video channel having an RF carrier frequency different from a carrier frequency of a data channel over which data is transmitted (video broadcast channel (120) different from data channel see figure 2)

Aaltonen teaches maintaining the video channel in a one-way Broadcast only mode at least while the video Channel carries video, thereby precluding a subscriber from up-linking information on the video channel (see figure 2, video channel is a one-way broadcast only mode (120) which does not a subscriber (3 or 2) is able to transmit request via video channel (120).

Aaltonen does not expressly teach encoding the video into at least one

prescribed format.

However, Sibley teaches TV broadcasting network, which encodes TV information into prescribed format (see paragraph 0036 and fig.1).

One of ordinary skill in the art would be motivated to encode the video to convert into different format in order to broadcast the video using RF frequency.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to encode video information into digital form ,as taught by Sibley in order to eliminate noise , since electrical signal loses strength over distance in which noise introduces in to the signal.

Claim 14, Aaltonen teaches setting up different protocol layers with a minimum static configuration within the mobile wireless communication device (see column 3, line 38-column 4, lines 11 and figs.1-2).

1. Claims 2-4,9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aaltonen in view of Sibley, as applied to claims 1,5-8 and 13-14 above, and further in view of Benveniste (US 2003/0174690)

Claim 2-4,9-12 Aaltonen does not expressly teach wireless LAN utilizes at least one of the IEEE 802.11 and ETSFHiperlan2 protocols and NAV (network allocation Vector).

However, Benveniste teaches wireless LAN utilizes at least one of the IEEE802.11 and ETSFHiperlan2 protocols and NAV (network allocation Vector) (see paragraph 0016-0017 and 0029).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use IEEE802.11 and ESTFHiperlan2 protocols, as taught by Benveniste , in order to minimize the costly infrastructure using short range accessing point.

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B. Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on 571-272-4177. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 21, 2008
T.B.G

Tilahun B Gesesse
Primary Examiner
Art Unit 2618

/Tilahun Gesesse/
Primary Examiner, Art Unit 2618